

UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF NEW YORK

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JOHN MARCHISI, individually and d/b/a
JOHN MARCHISI STUDIOS,

Plaintiff,

-against-

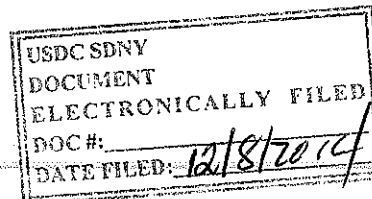
STEVE GOLDBERG, VINTAGE
ROCKEFELLER WINES & SPIRITS GROUP
CORP., DAVID PIERCE, CLASSIC WINE
SPIRITS, LLC and SPEEDWAY
MOTORSPORTS, INC.

Defendants.
-----X

Docket No. 14-CV-4553 (CS)

STIPULATION

Hon. Cathy Seibel



IT IS HEREBY STIPULATED AND AGREED by and between the undersigned attorneys for the Plaintiff JOHN MARCHISI, individually and d/b/a JOHN MARCHISI STUDIOS, and Defendants STEVE GOLDBERG and VINTAGE ROCKEFELLER WINES & SPIRITS GROUP CORP. ("moving defendants") that:

1. Moving defendants withdraw their served but unfiled motion for partial dismissal of the Second Amended Complaint.

2. Plaintiff voluntarily dismisses with prejudice all demands for punitive damages as against all defendants. ✓

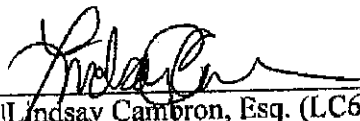
3. Moving defendants consent to plaintiff serving a Third Amended Complaint on or before December 29, 2014. ✓

4. Moving defendants will answer or otherwise respond to any such Third Amended Complaint within 30 days after service thereof. ✓

5. This Stipulation may be signed in counterparts and a copy or facsimile of a signature shall be effective as if it were an original.

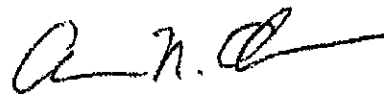
Dated: Roseland, NJ
December 5, 2014

BRACH EICHLER LLC
Attorneys for Plaintiff

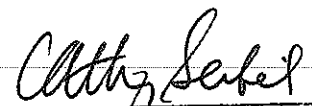
By: 
Lindsay Cambron, Esq. (LC6923)
101 Eisenhower Parkway
Roseland, New Jersey 07068
(973) 228-5700
lcambron@bracheichler.com

Dated: Hawthorne, NY
December 3, 2014

TRAUB LIEBERMAN STRAUS &
SHREWSBERRY LLP
*Attorneys for Defendants Steve Goldberg and
Vintage Rockefeller Wines & Spirits Group
Corp.*

By: 
Andrew N. Adler, Esq.
Mid-Westchester Executive Park
Seven Skyline Drive
Hawthorne, New York 10532
(914) 586-7016
aadler@traublicberman.com

SO ORDERED:


Hon. Cathy Seibel
U.S. District Judge *em*

White Plains, NY

December 8 2014